

Cause No. 1078895

SAMCHULLY WORKHOLDING, INC.

vs.

STEWART AUTOMOTIVE RESEARCH,
LLC AKA AND DBA STEWART
AUTOMOTIVE RESEARCH, STEWART
AUTOMOTIVE, AND STEWART
RESEARCH, LLC

IN THE COUNTY COURT

AT LAW NO. FOUR (4)

HARRIS COUNTY, TEXAS

ORDER APPOINTING RECEIVER AND ORDER OF REFERENCE

CAME ON to be heard the Application for Turnover After Judgment of SAMCHULLY WORKHOLDING, INC. whereupon, the Court's review of the papers herein on file, became of the opinion that a Receiver should be appointed to take possession of and sell the assets of STEWART AUTOMOTIVE RESEARCH, LLC, also known as and doing business as STEWART AUTOMOTIVE RESEARCH, STEWART AUTOMOTIVE, AND STEWART RESEARCH, LLC;

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED by this Court that
RECEIVER: LISA WATKINS; Address: 713. 222. 6837 PHONE:

20927470

FAX:

be, and he is hereby, appointed Receiver in this case pursuant to the Texas Turnover Statute with the power and authority to take possession of all non-exempt property, real and personal, of Respondent, STEWART AUTOMOTIVE RESEARCH, LLC, also known as and doing business as STEWART AUTOMOTIVE RESEARCH, STEWART AUTOMOTIVE, AND STEWART RESEARCH, LLC including, but not limited to: (1) all documents or records, including financial records, related to such property that is in the actual or constructive possession or control of the Respondent; (2) all financial accounts (bank accounts), certificates of deposit, money market accounts, accounts held

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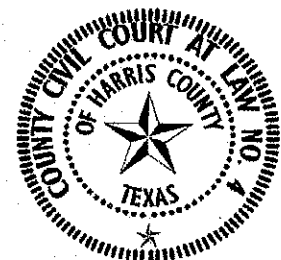
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Harris County, Texas

Quyen Q. Ky
QUYEN Q. KY

Deputy



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by any third-party; (3) all securities; (4) all real property, equipment, vehicles, boats and, planes; (5) all safety deposit boxes or vaults; (6) all cash; (7) all negotiable instruments, including promissory notes, drafts and checks; (8) causes of action or choses of action; (9) contract rights whether present or future; (10) accounts receivable; and that all such property shall be held in custodia legis of said Receiver as of the date of this Order; (11) the right to sell, lease or license a patent; (12) the exclusive right, power and authority to vote any shares of stock, partnership interests or other business interests of Respondent; (13) the exclusive power and authority to make, vote or sign any orders, or minutes or resolutions of directors authorizing any action of Respondent requiring such resolution or signed minutes by Respondent's operating agreement, partnership agreement, bylaws or other such agreement; (14) the authority and power but not the obligation to manage all businesses and affairs of the Respondent; and (15) the right, power and authority to hire any person or company necessary to accomplish any right or power granted by this Order.

It is further **ORDERED** that all third-parties in possession, or constructive possession, of assets, including, but not limited to cash and funds on deposit, documentation, property or information regarding Respondent, shall turnover or make available for turnover to the Receiver, said assets, including, but not limited to cash and funds on deposit, documentation, property or information; within a reasonable time; upon request from the Receiver and within the requirements of this Order Appointing Receiver and Order of Reference. Any information, documentation or financial information provided to the Receiver of a confidential nature shall not be disclosed or released by the Receiver unless necessary to carry out the intent of this Order. Should any third-party referenced herein fail to comply with this Order, the Court may impose the appropriate sanctions provided for by the Texas Rules of Civil Procedure after the proper application therefore, with notice and opportunity for hearing granted to any interested or affected party.

Respondent is Respondent hereby **ORDERED** to immediately turnover to the Receiver

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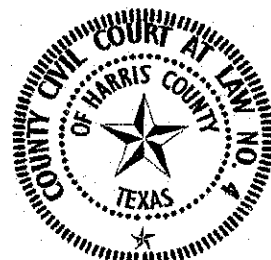
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within ten (10) days from Respondent receipt of a copy of this Order the documents contained on Exhibit 1 attached hereto, together with all documents and financial records which may be requested by the Receiver.

Respondent is hereby **ORDERED** to turnover to the above-named Receiver at the address stated above, within ten (10) days of Respondent's receipt of a copy of this Order, all checks, cash, securities (stocks and bonds), promissory notes, documents of title and contracts owned by or in the name of Respondent.

Respondent is hereby **ORDERED** to continue (until the Judgment in this cause is fully paid and/or settled, including Receiver's fees) to turnover to the Receiver at the Receiver's address all checks, cash, securities, promissory notes, documents of title and contracts within ten (10) days from Respondent's receipt and possession of such property, if, as and when Respondent becomes in receipt and possession of any such property.

The Receiver is hereby authorized to take all action necessary to gain access to all storage facilities, safety deposit boxes, real property, leased premises wherein any property of Respondent may be situated.

In addition to the powers of the Receiver set forth herein, the Receiver shall have the following rights, authority and powers with respect to the Defendant's property: (1) the right, authority and power to collect all accounts receivable of Defendant; (2) the right, authority and power to change locks to all premises at which any property is situated; (3) the right, authority and power to endorse and cash all checks and negotiable instruments payable to Defendant; (4) the power to subpoena from Respondent, third parties and witnesses production of documents, things and information including but not limited to matters concerning the existence, location, and/or value of Respondent's assets and Respondent's location; (5) the right, authority and power to have a Constable or Sheriff sell any real property and mineral interest belonging to the Defendant; (6) the

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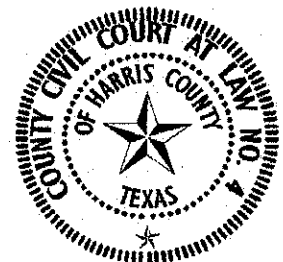
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right, power and authority to hire any person or company to move and store the property of Defendant; (7) the right, authority and power (but not the obligation) to insure any property belonging to the Defendant; (8) the right, power and authority to obtain from any financial institution, bank, credit union, or savings and loan any financial records belonging to or pertaining to the Defendant; (9) the right, power and authority to hire any person or company necessary to accomplish any right or power under this Order; (10) the right, power and authority to liquidate any and all financial accounts belonging to or in the name of Defendant; (11) the right, power and authority to commence, maintain, settle and control any cause of action including all post-judgment and pre-judgment remedies and collection techniques which Respondent(s) would have otherwise had the right to commence, maintain, settle or control and to hire counsel to pursue any such causes of action; (12) to bring suit to recover assets transferred by Respondent(s) to transferees as defined in the Uniform Fraudulent Transfer Act; (13) the exclusive right, power and authority to vote any shares of stock, partnership interests or other business interests of Respondent(s); (14) where Respondent(s) is an entity, the exclusive right, power and authority to sign any orders, or minutes or resolutions of directors authorizing any action of Respondent(s) requiring such resolution or signed minutes by Respondent's/Respondents operating agreement, partnership agreement, by laws or other such agreement; and (15) order any Consumer Reporting Agency, as defined by the Fair Credit Reporting Act ("FCRA") section 16 USC S 1681b(f), to provide consumer reports on respondents, as allowed under FCRA '1681b(a)(1).

Any Sheriff, Constable or Peace Officer, and their deputies, are hereby directed and ordered to assist the Receiver carrying out his duties and exercising his powers hereunder and prevent any person from interfering with the Receiver in taking control and possession of the property of Respondent. The Receiver is authorized to direct any Constable, Sheriff or authorized

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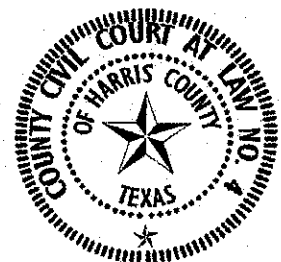
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Peace Officer to seize and sell property under Writ of Execution.

It is further **ORDERED** that the Receiver and all persons acting under the direction of the Receiver shall be immune from liability for all actions taken by them to the extent such actions are permitted by this Order.

NOTICE TO THIRD PARTIES: YOU ARE HEREBY NOTIFIED THAT THE RECEIVER, TO THE EXCLUSION OF THE DEFENDANT, IS THE PARTY ENTITLED TO POSSESS, SELL, LIQUIDATE AND OTHERWISE DEAL WITH DEFENDANT'S NON-EXEMPT REAL AND PERSONAL PROPERTY. ONCE YOU HAVE RECEIVED NOTICE OF THIS ORDER, YOU MAY BE SUBJECT TO LIABILITY SHOULD YOU RELEASE ANY PROPERTY TO THE DEFENDANT, UNLESS OTHERWISE DIRECTED BY THE RECEIVER OR THIS COURT.

It is further, **ORDERED** that the above-named Receiver is **DIRECTED** and **AUTHORIZED** to pay to himself as Receiver's fees, an amount equal to 25% of the total amount coming into his possession; which shall be taxed as costs against the Defendant; which the Court finds is a fair, reasonable and necessary fee for the Receiver; and to distribute all remaining proceeds to the attorney for the Plaintiff, as Trustee, without the requirement of an Order therefore. No Receiver's fees exceeding 25% of the total amount coming into his possession shall be paid to the Receiver unless an Application is filed with and ruled upon by this Court, with notice and opportunity for hearing granted to Plaintiff and Respondent, and an Order is signed approving said fee application. All Receiver's fees will be taxed as costs against the Defendant(s)/Respondent(s).

It is further, **ORDERED** that any postage, travel expenses or other expenses and costs reasonably and necessary incurred in carrying out the terms of this Order of the Court may be taxed against the Defendant as costs, and may be collected by the Receiver from the Defendant which

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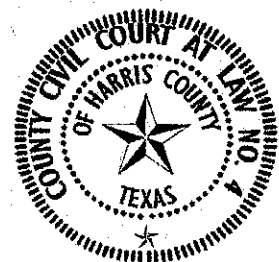
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shall be in addition to those sums and amounts provided for in the judgment.

It is further, **ORDERED** that Applicant have and recover of and against Respondent, Judgment in the sum of \$500.00 for additional attorney's fees;

The Receiver is ordered to post bond in the amount of \$100.00 payable to this Court and conditioned upon his faithful discharge of his duties in accordance with this Order. The Receiver is further ordered to take the oath of office.

SIGNED, this 19 day of June, 2017

JUDGE PRESIDING

APPROVED AS TO FORM AND SUBSTANCE:

TOTZ ELLISON & TOTZ, P.C.

By:

JON D. TOTZ
TBA # 20148000
2211 Norfolk, Suite 510
Houston, Texas 77098
Phone: 713-275-0309
Fax: 713-275-0304
Email: jtetz@tetlegal.com
E-Service: service@tetlegal.com

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of May, 2017 a true and correct copy of the above Order Appointing Receiver and Order of Reference has been forwarded to the following party/parties, via electronic means, if possible, and/or by the means stated below.

Regular Mail

Stewart Automotive Research, LLC
4137 Boardwalk
Seabrook, TX 77586-1755
Attn: David Stewart

JON D. TOTZ

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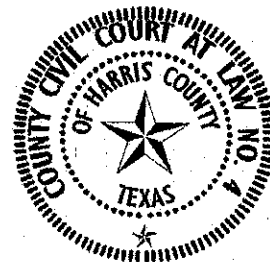
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DOCUMENTS TO BE PRODUCED

1. The most recent bank statements from any and all banks and Savings and Loan Associations.
2. Titles and bills of sale to all automobiles, airplanes, boats, motorcycles, trailers, trucks, and other such vehicles owned by Respondent for the past two years.
3. Stock certificates, bonds or other securities owned by Respondent in privately held or publicly traded companies or institutions for the past two years.
4. Receipts for office furniture and all other personal property owned by Respondent for the past two years.
5. All deeds for real estate in which Respondent or owned any interest for the past two years.
6. All residential and commercial leases to which Respondent a party or has been a party.
7. Any and all certificates of deposit or money market certificates owned by Respondent for the past two years.
8. Any and all promissory notes payable in whole or in part to Respondent for the past two years.
9. Any and all minute books, ledger, corporate records and resolutions pertaining to Respondent.
10. Respondent's federal tax return for the past two years.
11. Any and all assumed name certificates under which Respondent does business.
12. Respondent's most recent balance sheet.
13. Respondent's most recent financial statement.
14. All documents evidencing a transfer of Respondent's property for the past four years.
15. Any and all contracts to which Respondent is a party or under which Respondent has any present or future rights.

EXHIBIT 1

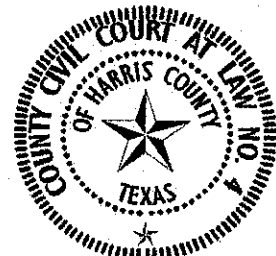
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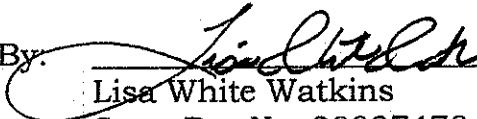
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SAMCHULLY WORKHOLDING, INC.	§	IN THE COUNTY CIVIL COURT
	§	
vs.	§	
	§	
STEWART AUTOMOTIVE RESEARCH,	§	AT LAW NUMBER FOUR (4)
LLC AKA AND DBA STEWART	§	
AUTOMOTIVE RESEARCH, STEWART	§	
AUTOMOTIVE, AND STEWART	§	
RESEARCH, LLC	§	OF HARRIS COUNTY, TEXAS

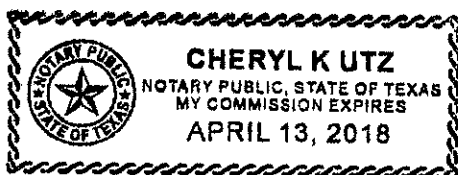
OATH OF RECEIVER

I solemnly swear that I will faithfully perform and discharge the duties of receiver in this cause and will obey the Orders of the Court. I further swear that I am a qualified voter of the State of Texas and I am in fact registered to vote.

By: 
Lisa White Watkins
State Bar No. 20927470
24 Greenway Plaza, Suite 1710
Houston, Texas 77046
713-222-6837 Telephone
713-222-7519 Fax
lisa@watkinslawhouston.com

STATE OF TEXAS §
COUNTY OF HARRIS §

I certify under my seal of office that on August 2, 2017, LISA WHITE WATKINS personally appeared before me and signed the foregoing statement in writing, swearing that the facts stated therein are true and correct.




NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

91452

OFFICIAL RECEIPT



Stan Stanart, County Clerk
County Civil Courts (713) 274-1330
Fee Officer's Official Receipt

County Auditor's Form 153
Harris County, TX (REV. 7/11/2016)

Payor
TOTZ, JON D
TOTZ ELLISON & TOTZ PC
2211 NORFOLK, SUITE #510
HOUSTON, TX 77098

Judge
Lloyd, Roberta A.

Receipt No.
CL-2017-80489

Transaction Date
06/29/2017

Description	Amount Paid
On Behalf Of TOTZ, JON D 1078895 SAMCHULLY WORKHOLDING INC VS. STEWART AUTOMOTIVE RESEARCH LLC Civil Registry	
Civil Registry Fee	100.00
SUBTOTAL	100.00
PAYMENT TOTAL	100.00
Registry - Check (Ref #53691) Tendered	100.00
Total Tendered	100.00
Change	0.00
Cash in lieu of receivers bond	
06/29/2017 11:25 AM	Cashier JBarrera Station R28
	Audit 1944674

OFFICIAL RECEIPT